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Attorneys for Port Bagnell Motor Sports, LLC

UNITED STATES BANKRUPTCY COURT
 EASTERN DISTRICT OF WASHINGTON

In re:)	Case No. 09-05081-FLK11
)	
SHUMATE SPOKANE, LLC,)	PORT BAGNELL MOTOR SPORTS,
)	LLC'S OBJECTION TO MOTION FOR
)	RELIEF FROM THE AUTOMATIC
)	STAY AND WAIVER OF FRBP
)	4001(a)(3) FILED BY ADP
)	COMMERCIAL LEASING AND ADP
)	LIGHTSPEED
<u>Debtor.</u>)	

COMES NOW Port Bagnell Motor Sports, LLC, the purchaser of substantially all of the assets of the debtor by virtue of the court's order entered earlier in this case and hereby files this limited objection and/or response to the recent Motion for Relief from Stay (Docket No. 383) filed by ADP Lightspeed and its associated entities. ADP Lightspeed seeks authorization from this court to recover its collateral and terminate service to the debtor. Port Bagnell Motor Sports, LLC has no objection to such relief being granted as to the debtor but Port Bagnell Motor Sports, LLC believes that the software and other property described in ADP Lightspeed's motion represents property that may have been acquired by Port Bagnell in the sale approved by the court. ADP Lightspeed did not object to the sale. Port Bagnell Motor Sports, LLC believes that ADP Lightspeed did not properly perfect a security interest in the collateral in which it claims an interest and Port Bagnell Motor Sports, LLC further believes that this property was acquired free and clear of all liens and interests by it by virtue of the order approving the sale referred to earlier. Port Bagnell Motor Sports, LLC requests

OBJECTION -1

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1 that no order be entered that would affect any property that it purchased as part of the earlier
2 bankruptcy sale. Anthony E. Grabicki will be out of the office on vacation and unavailable
3 for hearing until August 9, 2010.

4 WHEREFORE, the undersigned hereby requests that this matter be set for hearing.

5 DATED this 23rd day of July, 2010.

6 RANDALL | DANSKIN

7
8 By /s/ Anthony E. Grabicki
9 Anthony E. Grabicki
10 Attorneys for Port Bagnell Motor
Sports, LLC

11 33466/Shumate Spokane/Objection to ADP Relief from Stay.072310
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OBJECTION -2

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